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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JASON E. CARR,

Plaintiff,

v.

PROGRESS RAIL SERVICES, et al.,

Defendants.

Case No. 2:19-cv-01558-GMN-EJY

**AMENDED ORDER SCHEDULING
EARLY NEUTRAL EVALUATION**

This Order amends the Court's prior order (ECF No. 16) scheduling an ENE for **Monday, March 30, 2020**. All parties must report to **Courtroom 3A** of the undersigned United States Magistrate Judge, Lloyd D. George United States Courthouse, 333 Las Vegas Boulevard South, Las Vegas, Nevada at **9:30 a.m.**

NOTE: SIGNIFICANT CHANGES TO THE COURT'S SCHEDULING ORDER ARE LISTED BELOW.

The following requirements for the ENE apply:

1. Timeliness

- All parties and counsel are expected to check-in with the undersigned's Courtroom Deputy in Courtroom 3A at least 5 minutes prior to the ENE.
- If anyone anticipates arriving after the start time, then they must call Chambers to give prior notice.

2. Attendance

- An attorney of record who will be participating in the trial of this case, all parties appearing pro se, if any, and all individual parties must be present in person.

- In the case of non-individual parties, counsel must arrange for a representative with binding authority to settle this matter up to the full amount of the claim to be present in person for the duration of the ENE session.
- If any party is subject to coverage by an insurance carrier, then a representative of the insurance carrier with authority to settle this matter up to the full amount of the claim must also be present in person for the duration of the ENE session.
- The Court **will impose sanctions** to the extent a representative with binding authority to settle this matter up to the full amount of the claim is not present in person.
- A request for an exception to the above attendance requirements must be filed and served on all parties **at least 14 days** before the ENE session.
- An attorney of record, individual parties, a fully-authorized representative, and a fully-authorized insurance representative must appear in person unless the court enters an order granting a request for exception.

3. ENE Statement

- In preparation for the ENE session, the attorneys for each party, and the parties appearing pro se, if any, must submit a confidential written evaluation statement for the court's in camera review.
- The evaluation statement must comply with **Local Rule 16-6(f)**.
- In addition to the information required by LR 16-6, **the following information must be contained in the ENE Statement:**
 - The first paragraph must contain the names and titles of all attendees along with a statement of their limit(s), if any, to settle.
 - The entire ENE Statement **must not exceed 50 pages – including exhibits**. The more concise the writing and more focused the exhibits, the better the undersigned will be served in understanding the case.

- The exhibits should not include any items available on the docket – citation to the ECF No. will suffice.
- If the exhibits include deposition transcripts, then they should only be excerpts with highlights on the specific statements you seek to underscore.
- History of settlement negotiations, if any, prior to the ENE conference.
- The final paragraph must contain the opening offer or demand you will make at the ENE conference with supporting explanation.
- The written evaluation statements must be submitted directly to the undersigned's chambers—Room 3099—by **noon on Monday, March 23, 2020**. Do not deliver or mail them to the clerk's office. Do not serve a copy on opposing counsel.
- The purpose of the evaluation statement is to assist the undersigned in preparing for and conducting the ENE session. To facilitate a meaningful session, your utmost candor in providing the requested information is required.
- The written evaluation statements will not be seen by or shared with the district judge or magistrate judge to whom this case is assigned. The evaluation statements will be seen by no one except the undersigned.
- Each statement will be securely maintained in my chambers and will be destroyed following the closure of the case.

4. Sanctions

- Failure to comply with the requirements set forth in this order will subject the non-compliant party to sanctions under Local Rule IA 11-8 or Federal Rule of Civil Procedure 16(f).

5. Electronic Devices

- **RECORDING THE ENE PROCEEDINGS IS EXPRESSLY PROHIBITED.**
Electronic devices are permitted in the courtroom and may be viewed the Court is caucusing with the other parties. Wi-fi connection information will be provided during the ENE.

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